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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,958	08/23/2004	Alexander Shipp	117-514	1440
23117 7590 04/29/2008 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
LEWIS, ALICIA M				
ART UNIT		PAPER NUMBER		
2164				
MAIL DATE		DELIVERY MODE		
04/29/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/500,958

Applicant(s)

SHIPP, ALEXANDER

Examiner

Alicia M. Lewis

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 13-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-19 is/are allowed.
- 6) ☒ Claim(s) 1-8, 13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

This office action is responsive to communication filed January 22, 2008. Claims 5, 13 and 16 are currently amended, and claims 18-19 have been added. Claims 1-8 and 13-19 remain pending in this application.

Claim Objections

1. Claim 1 is objected to because of the following informalities: the use of the claim language "operative to" suggests that the components may perform the recited functionality, but are not required or programmed to do. It is suggested to use the claim language "configured to" instead to show that the components are actually configured/programmed to carry out the recited functions. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 4-6, 8 and 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Roberts et al. (US Patent Application Publication 2004/0088570 A1) ('Roberts').

With respect to claims 1 and 5, Roberts teaches:

a) a link analyzer operative to identify hyperlinks in the content of electronic documents (Figure 1, paragraphs 27 and 30);

b) a hyperlink replacer operative to modify the electronic documents by replacing hyperlinks to external objects identified by the link analyzer by new hyperlinks to respective targets on a trusted server (paragraph 34 lines 10-18); and

c) an object server operative on receipt of a request to retrieve an external object from one of said targets on the trusted server (step 42, Figure 6) to cause a content scanner to scan the external object referenced by the hyperlink which was replaced by the new hyperlink to said one of said targets (paragraphs 37 and 38) and to determine the acceptability of the objects according to predefined rules (paragraphs 37 and 38), the object server being operative, responsive to a hyperlink being to an external object which is determined by the content scanner to be acceptable, to retrieve the external object and supply it in response to the request (paragraph 37), the object server being operative, responsive to an external object which is determined by the content scanner to be unacceptable, to perform remedial action (step 48 in Figure 6, paragraph 36).

With respect to claims 2 and 6, Roberts teaches wherein the link analyzer and the object server are operative to recursively process hyperlinks identified in external objects (paragraph 36 lines 14-17).

With respect to claims 4 and 8, Roberts teaches wherein the remedial action comprises one or more of:

flagging or modifying the document to indicate that the content scanner has found the object to be unacceptable (paragraph 33);

modifying the document by replacing the hyperlink by a non-functional hyperlink (paragraph 33); and

quarantining the document and sending the intended recipient an alert advising the recipient that this has been done (paragraph 33).

With respect to claims 13 and 14, Roberts teaches wherein the object server is operative, responsive to a hyperlink being to an external object external to the document which object is determined by the content scanner to be acceptable, to retrieve the external object, to store it on the trusted server and to supply it in response to the request (paragraphs 34 and 36).

Roberts teaches that acceptable content may be retrieved, stored in a database, and supplied to a user.

4. Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al. (US Patent Application Publication 2004/0088570 A1) ('Roberts') in view of Lambert et al. (US Patent 6,629,138 B1) ('Lambert').

With respect to claims 3 and 7, Roberts teaches claims 2, 6 and 10 and flagging documents as unacceptable (paragraph 16).

Roberts does not teach in which only a maximum depth of recursion is permitted and the document is flagged as unacceptable if that limit is reached.

Lambert teaches a method and apparatus for storing and delivering documents on the internet (see abstract), in which he teaches in which only a maximum depth of recursion is permitted and the document is flagged as unacceptable if that limit is reached (column 10 lines 6-10).

According to Lambert's invention, the number of levels to search can be used as inclusion/exclusion criteria. Therefore, the maximum number of levels before stopping (maximum depth of recursion) can be used as a reason to exclude a page (or document); this exclusion is similar to flagging a document unacceptable.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Roberts by the teaching of Lambert because in which only a maximum depth of recursion is permitted and the document is flagged as unacceptable if that limit is reached would enable a method to manage passive and active data throughout a network, and offer an improved method and apparatus for storing and delivering information on the Internet (Lambert, column 2 lines 23-26).

Allowable Subject Matter

5. Claims 15-19 are allowed.

Response to Arguments

6. Applicant's arguments filed January 22, 2008 have been fully considered but they are not persuasive. Applicant argues that Roberts does not disclose that the external objects are scanned on receipt of a request to retrieve an external object. Examiner disagrees. Roberts teaches that in response to a request to access a URI (external object) (step 40 in Figure 6), the system checks to see if the URI is stored in the database storing mal-ware-free content (a trusted server) (step 42 in Figure 6). Thus, when the data is stored in the database, the object request is in fact to retrieve an external object stored on a trusted server. Furthermore, Roberts teaches that a check (scan) is made to see if the data has changed (at step 50 in Figure 6), and he further teaches that a malware scan on content is performed in certain situations (step 44 of Figure 6). Therefore, contrary to applicant's arguments, Roberts does in fact scan external objects on receipt of a request to retrieve an external object.
7. Applicant further argues that in the second alternative of Roberts the scanning does not occur because the webpage is already determined to be cleaned, and is therefore just returned to the user (page 10 of Remarks). Examiner disagrees. Roberts teaches that in response to a request of a URI in store of malware-free content (meaning it is a request for content in which the link has been replaced by a new link),

the system checks to see if the content is changed, and in one embodiment, another scan of the content is performed (step 44 of Figure 6). Therefore, Roberts does in fact teach limitations (b) and (c) of claims 1 and 5.

8. In response to applicant's arguments against the references individually, (regarding claims 3 and 7) one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

9. Applicant's arguments, see pages 10-11 of Remarks, filed January 22, 2008, with respect to claims 15-17 have been fully considered and are persuasive. The rejection of claims 15-17 has been withdrawn.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alicia M Lewis/
Examiner, Art Unit 2164
April 25, 2008

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/Charles Rones/

Supervisory Patent Examiner, Art Unit 2164